

REMARKS

Upon entry of the present Amendment, claims 1-3, 5-7, 10, 12 and 25 will have been amended. Additionally, claims 26-33 will have been submitted for consideration by the Examiner. Claims 4, 8 and 13 are withdrawn from consideration as drawn to a non-elected species.

In view of the herein contained Amendments and Remarks, Applicants respectfully request reconsideration and withdrawal of each of the outstanding objections and rejections set forth in the outstanding Official Action together with the allowance of all of the claims pending herein. Such action is respectfully requested and is now believed to be appropriate and proper.

In the outstanding Official Action, the Examiner withdrew claims 4, 8, 13 and 25 from consideration as being drawn to a non-elected species. In addressing claim 25, the Examiner asserted that the method recited in claim 25 is not readable on the elected species. The Examiner asserts that "no rod is supported via the spring to render the step of supporting via the spring, a rod". Applicants respectfully traverse and submit that Applicants clearly disclose that the central portion of the spring is configured to support a rod and this feature applies to all species. In this regard, the Examiner's attention is respectfully directed to, *inter alia*, paragraph [0036] of Applicants' original disclosure. As set forth thereat, a displacer rod is fixed at the middle of the spring mounted on the spring mount of the spring support.

Accordingly, Applicants respectfully submit that method of claim 25 is clearly readable on the elected species and that the Examiner's withdrawal of claim 25 is thus in

error. Accordingly, Applicants respectfully request reconsideration of the withdrawal of claim 25 from further consideration and an action on the merits thereof.

The Examiner is respectfully thanked for his acceptance of the drawings filed in the present application on December 23, 2005.

In the outstanding Official Action, the Examiner objected to claims 3 and 7 because of a noted informality. By the present Response, Applicants have amended claims 3 and 7 to eliminate the informality noted by the Examiner. Applicants respectfully thank the Examiner for bringing this matter to their attention so that it could be corrected.

The Examiner rejected claims 10, 12 and 14 under 35 U.S.C. § 112, first paragraph. The Examiner asserted that these claims fail to comply with the written description requirement. The Examiner asserted that the term "only two inner diameters" is not found in the original disclosure. In this regard, Applicants have amended claim 10 to eliminate the objected-to language and have revised the language of claim 10 so as to be fully consistent with Applicants' original disclosure. Accordingly, Applicants respectfully submit that claim 10, and those claims dependent thereon, are in full compliance with 35 U.S.C. § 112, first paragraph. An action to such effect is respectfully requested in due course.

In the outstanding Official Action, the Examiner rejected 1-3, 5-7, 9, 10, 12 and 14 under 35 U.S.C. § 112, second paragraph. The Examiner asserted that the claims are indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

Applicants respectfully traverse the above rejection and submit that it is inappropriate. Throughout the amplification of the basis for these rejections with respect to the claim language, it appears that the Examiner's concern is with the term "configured" as

used in each of these various claims. In this regard, the term "configured" is used to denote physical or structural features of the recited component that enables or facilitates the operation thereof in the manner recited in the claim. In this regard, Applicants note that the Examiner raised a question regarding what configuration of the spring is required to allow the spring to support the rod such that the rod elastically moves back and forth. Although this recitation has been amended for clarity by the present Response, Applicants nevertheless note that Applicants' disclosure indicates that the spring has the displacer rod fixed at a middle portion thereof, as set forth in paragraph [0036]. Thus, it is, for example, the attachment of the rod to a central portion of the spring that enables the spring to support the rod as the rod moves elastically.

Similarly, the Examiner's further query regarding a configuration to support the spring and a configuration to connect to the spring support, also referring to structural and physical features of the recited element. In this regard, and as a non-limiting example only, the spring mount is configured to support the spring at least insofar as the dimension of the spring mount is such that the outer periphery of the spring can be supported thereon. With regard to the connection of the coupling ring to the spring support, the various embodiments of the present invention set forth different mechanisms by which the coupling ring and spring support are connected. These non-limiting include threads, fixation holes and various other components.

Taking as another example, threadedly engaging is questioned by the Examiner regarding claims 3 and 7. However, as a non-limiting example, if the first and second threads have corresponding threading configurations, the first and second threads can mate with each other and thus allow them to threadedly engage with each other. Thus, it is

the feature of the first and second threads, i.e., that they have the same thread configuration that enables them to mate with each other and to threadedly engage with each other.

Regarding the Examiner's question regarding the fixation holes and the plurality of fixation tools, for example, it is the positioning of the fixation holes in locations corresponding to the structure of the fixation tools that enables the recited operation of the device.

Accordingly, it is respectfully submitted that each instance of the claim language utilized by Applicants in the claims is clear, definite and accurate. In this regard, should the Examiner have any further queries regarding this matter or any other questions regarding the definiteness of Applicants claim language, he is respectfully requested to contact the undersigned at the below-listed telephone number.

In the outstanding Official Action, the Examiner rejected claims 1-3 under 35 U.S. 102(b) as being anticipated by SEGUIN (U.S Patent No. 2,020,522). In setting forth the rejection, the Examiner asserted that SEGUIN discloses a spring 9 and that the spring 9 is able to support a rod. Applicants respectfully traverse the Examiner's rejection. In this regard, Applicants respectfully point out that element 9 of SEGUIN is not a spring but rather a gasket. The gasket does not support a rod. Particularly, the bolt 1, to which it is assumed that the Examiner makes reference is clearly supported by the washer 2 rather than the gasket 9. The purpose of the gasket 9 is to prevent moisture from passing through the notches 5 (Fig. 3).

Nor does the gasket 9 comprise a securing device as asserted by the Examiner. Although the gasket is retained between the inner flange 12 and the washer 2, this

nevertheless does not anticipate nor render unpatentable the combination of features recited in Applicants' claim.

Initially, Applicants note that the element 9 does not support a rod, support elastic movement, nor does it apply a biasing force to any rod. Rather, the structure of SEGUIN covers the head and washer of a bolt such as used for holding a closet bowl in place. There is clearly no need for an elastically movable rod in such a situation and, in fact, movement of the bolt or any other rod in such an environment would be very detrimental to the proper functioning of the device. Accordingly, Applicants respectfully traverse the Examiner's rejection of claims 1-3 and respectfully request reconsideration and withdrawal thereof.

In the outstanding Official Action, the Examiner rejected claim 10 and 14 under 35 U.S.C. § 102(b) as anticipated by WOODRUFF et al. (U.S. Patent No. 6,309,524). Applicants respectfully traverse the above rejection and submits that it is inappropriate.

In setting forth the rejection, the Examiner asserts that the spring 610d is shown in Figure 25. As clearly set forth at column 15, line 14, 610d represents a Bellville ring contact. The Bellville ring contact is provided to bear against a workpiece rather than to support a rod as the rod moves. Further, the workpiece 25 is supported (to not move) by the O-ring 740. Thus, the spring does not support the rod. The Bellville ring merely provides contacts against which the workpiece is urged and provide electroplating power to the surface of the workpiece. But the workpiece (not a rod) is not supported by the spring but by the O-ring 740. Further, the workpiece does not move elastically. At least for these reasons it is respectfully submitted that Applicants' claim 10 is clearly patentable over

WOODRUFF et al. whether considered under 35 U.S.C. § 102 or whether considered under 35 U.S.C. § 103.

In the outstanding Official Action, the Examiner rejected claims 10-12 and 14 under 35 U.S.C. § 102(b) as anticipated by BRUNAIIS et al. (U.S. Patent 4,333,434). Applicants respectfully traverse the above rejection and submits that it is inappropriate. BRUNAIIS, as described by the Examiner, discloses a spring 126 which is a Bellville washer-type spring. This spring 126 is disclosed as being disposed over the shank of a component 118 of the valve element 114. However, the outer periphery of the spring element 126 is not secured or prevented from movement by the spring support and the contact ring. As can clearly be seen, it is essential for the outer periphery of the springs to move and flex in order to provide their intended purpose. Nor does BRUNAIIS et al. disclose a rod as recited in Applicants' claims.

The springs merely bias the head of the valve element upwards. However, they do not support a rod at a central portion thereof. For each of the above reasons, it is respectfully submitted that BRUNAIIS et al. is an inappropriate basis for the rejection of any of Applicants' claims.

The Examiner further rejected claims 5-7 and 9 under 35 U.S.C. § 103(a) as unpatentable over SEGUIN in view of SERGENT (U.S. Patent No. 2,110,427). Applicant respectfully traverses the rejection. In setting forth the rejection, the Examiner again considers element 9 of SEGUIN to be a spring whereas in actuality this element is merely a gasket which does not support a rod as set forth above with respect to the rejection of claims 1-3.

The Examiner admits that SEGUIN does not disclose fixation holes and asserts that SERGENT discloses fixation holes 2c. However, SERGENT does not disclose a spring as recited in Applicants' claims, nor does SERGENT disclose any of the other features recited in Applicants' respective claims.

Further, the Examiner set forth no basis whatsoever for combining the controllable pitch propeller wrench of SERGENT with the bolt cap for the closet bowl of SEGUIN. For this additional reason, it respectfully submitted that the Examiner's rejection is inappropriate.

In setting forth the rejection of claims 5-7 and 9 as well as the rejection of claim 1-3, the Examiner asserts that "the spring 9 is able to support a rod such that the rod elastically moves back and forth". It is respectfully submitted that the Examiner is incorrect. There is no disclosure in either of these references that the gasket 9 in any way supports a rod. Applicants' claim does not recite that the spring is able to support a rod but that the spring supports a rod. Moreover, the Examiner's assertion that it is "able" to support a rod is merely based on conjecture and speculation but is not supported by the disclosure of either of these two references. There is no rod in SEGUIN, nor is there any rod in SERGENT. In SERGENT, there is not even a spring. Therefore, the Examiner's assertions regarding the ability of non-spring 9 to support a rod are not supported by any disclosure of the prior art references and are thus inappropriate and improper. These assertions by the Examiner cannot render the claims of the present application unpatentable in view of the lack of any corresponding structure or disclosure in any of the relied upon references.

For each of the above-noted reasons and certainly for all of the above-noted reasons, it is respectfully submitted that the Examiner's rejections are inappropriate and

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improper. Accordingly, Applicants respectfully request reconsideration and withdrawal of each of the outstanding rejections together with an action indicating the allowability of all the claims pending in the present application. Such action is respectfully requested and is now believed to be appropriate and proper.

SUMMARY AND CONCLUSION

Applicants have made a sincere effort to place the present application in condition for allowance and believe that they have now done so. Applicants have traversed each of the Examiner's objections and rejections and have made appropriate amendments to the claim language to overcome various of the Examiner's objections to the claim language. Applicants have further amended the claims to clarify their recitations. Applicants have discussed the disclosure of each of the Examiner's references and have pointed out the shortcomings and deficiencies thereof with respect to the features recited in Applicants' claims.


Applicants have noted the lack of motivation for the proposed combination. Applicants have further provided a clear evidentiary basis for the patentability of all the claims in the present application and respectfully request an indication to such effect in due course.

The amendments to the claims which have been made in this amendment, which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should the Examiner have any questions or comments regarding this Response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

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